

REMARKS

In the office action, the Examiner rejected claims 38-40 under 35 USC Section 101. The claims have been cancelled to reduce the issues on appeal. Applicants reserve the right to prosecute the claims in a continuation application.

In the office action, the Examiner rejected claims 1-40 under 35 USC Section 102(e) as being anticipated by Fuchs. The Examiner's rejection is respectfully traversed, and reconsideration of the claims is requested.

Claims 1 and 7 recite "the token including fields to be populated with location information by intermediary devices and the client device." Fuchs does not show or suggest a token to be populated with location information by an intermediary device. Examiner states with reference to FIG. 12 that the "wireless carrier providing signals are intermediary devices populating the fields with location information." However the Examiner also states that the PIP is the token. The reference only discloses that the GPS PN codes are inserted into the PIP by the client device, the PIP sent on path 1214, the PN codes are sent on path 1216, and the PN codes are routed to the centralized server path 1218. Accordingly, the reference does not disclose that the PIP is populated with location information by wireless carrier 1201 and internet 1230. Accordingly, the reference can not anticipate the invention in defined in claims 1 and 7.

Claim 2 recites "wherein the location information is populated within the location token as it is communicated through the network." There is no description in Fuchs of populating a token as it is communicated as defined in the claim.

Claim 4 recites "the location information is incrementally inserted by one or more intermediaries." The Examiner states that the PIP is a token. Fuchs fails to show or suggest location information incrementally inserted in the token by one or more intermediaries.

Claim 25 recites "transmitting a first location token between the client device, the other device and the intermediary, the other device requesting insertion of location information by the client device, and the intermediary device inserting into the token location information." Fuchs fails to disclose and intermediary device requesting insertion of location information into the token and the intermediary device inserting

location information into the token. Accordingly, Fuchs can not anticipate the claimed invention.

With respect to claims 9- 12, 14, 15, 18-22, 24, and 27- 34, it is respectfully submitted that there is no description of a first token and a second token in Fuchs. The Examiner has identified the PIP as the token. It is not clear what the Examiner is interpreting as the first token transmitted by the requesting device and the second token transmitted by the replying device. Accordingly, Fuchs can not anticipate these claims.

Accordingly, it is respectfully submitted that the claims clearly define the invention and to be in condition for allowance. A Notice of Allowance is solicited.

Respectfully Submitted

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